

# **HARRISON SUPERIOR COURT**

## **LOCAL RULES**

**POSTED OCTOBER 2005**

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STATE OF INDIANA  
IN THE HARRISON SUPERIOR AND CIRCUIT COURTS

31D01-0311-GO-28

31C01-0311-~~GO~~-73  
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**HARRISON SUPERIOR AND CIRCUIT COURTS**  
**LOCAL RULE REGARDING COURT REPORTER**  
**FEES FOR TRANSCRIPTS**

**Section One. Definitions:** The following definitions shall apply under this Local Rule:

1. A Court Reporter is a person who is specifically designated by a Court to perform the official court reporting services for the Court including preparing a transcript of the record.
2. Equipment means all physical items owned by the Court or other governmental entity and used by a Court Reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.
3. Work space means that portion of the Court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.
4. Page means the page unit of transcript which results when a recording is transcribed in the form required by the Indiana Rule of Appellate Procedure 28.
5. Recording means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
6. Regular hours worked means those hours which the Court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court with the county, but remain the same for each work week.
7. Gap hours worked means those hours worked that are in excess of the regular hours worked, but hours not in excess of forty (40) hours per work week.
8. Overtime hours worked means those hours worked in excess of forty (40) hours per work week.
9. Work week means a seven (7) consecutive-day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
10. Court means the particular court for which the court reporter performs services. Court may also mean all the courts in Harrison County.

11. County indigent transcript means a transcript that is paid for from County funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
12. State indigent transcript means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
13. Private transcript means a transcript, including but not limited to, a deposition transcript, that is paid for by a private party.
14. Appeal transcript means a transcript prepared in any case, civil or criminal, for purposes of an appeal to the Indiana Court of Appeals or the Indiana Supreme Court.

**SECTION TWO. Salaries and Per Page Fees:**

1. Court Reporters shall be paid an annual salary for regular work hours under the control, discretion, and direct supervision of the supervising Court during any regular work hours, gap hours, or overtime hours. The supervising Court shall enter into a written agreement with the Court Reporters which outline the manner in which the Court Reporter is to be compensated for gap and overtime hours; i.e. monetary compensation or compensatory time off regular work hours.
2. Subject to the approval of each County's fiscal body, the amount of the annual salary shall be set by the Court.
3. Regular working hours shall be determined by each Court.
4. Gap hours shall be hours worked in excess of regular working hours (if regular working hours are less than forty (40) hours per week), but not in excess of forty (40) hours per week.
5. Overtime hours shall be hours worked in excess of 40 hours per week.
6. The maximum per page fee a Court Reporter may charge for the preparation of a county indigent appeal transcript shall be Four Dollars (\$4.00) per page and Four Dollars (\$4.00) per page for any non-appeal transcripts. The Court Reporter shall submit a claim directly to the Court for the preparation of any county indigent transcript.
7. The maximum fee a Court Reporter may charge for the preparation of a state indigent appeal transcript shall be Four Dollars (\$4.00) per page.
8. The maximum per page fee a Court Reporter may charge for the preparation of a private appeal transcript shall be Four Dollars (\$4.00).
9. The maximum per page fee a Court Reporter may charge for the copy of any appeal transcript is Two Dollars (\$2.00) per page.
10. With respect to any transcript, the Court Reporter may charge a minimum fee of Thirty-Five Dollars (\$35.00).

11. The index and table of contents pages may be charged for at the same page rate being charged for the rest of the transcript.
12. An additional labor charge equal to the hourly rate for the Court Reporter at the time the transcript is being prepared may be charged by the Court Reporter for the time spent binding any transcript and exhibits.
13. A reasonable charge for office supplies and any other necessary materials and equipment required and utilized for preparing, binding, and electronic transmission of a transcript may be charged by the Court Reporter. A schedule of transcript supplies will be established and published annually by the Judge or Judges of the County.
14. The Court Reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

### **Section Three. Private Practice:**

1. If a Court Reporter elects to engage in private practice through recording a deposition and/or preparing of a deposition transcript, trial transcript, hearing transcripts, plea change and sentencing transcripts, or other transcripts, and the Court Reporter desires to utilize the Court's equipment, work space, and supplies, and the Court agrees to the use of Court equipment for such purposes, the Court and the Court Reporter shall enter into a written agreement which must at a minimum designate the following:
  - A) the reasonable market value for the use of equipment, work space and supplies;
  - B) the method by which records are to be kept for the use of equipment, work space and supplies; and
  - C) the method by which the Court Reporter is to reimburse the Court for the use of the equipment, work space and supplies.
2. If a Court Reporter elects to engage in private practice through recording a deposition and/or preparing a deposition transcript, trial transcripts, hearing transcripts, plea change and sentencing transcripts or other transcripts, all such private practice work shall be conducted outside of regular working hours.

### **SECTION FOUR. Disk as Official Record:**


1. Upon the filing of a written request or praecipe for transcript, the Court Reporter shall transcribe any Court proceeding requested and produce an original paper transcript along with an electronically formatted transcript. Multiple disks containing the electronically formatted transcript shall be prepared and designated as "Original Transcript", "Court Reporter's Copy" and "Court's Copy". Each disk shall be labeled to identify the case number, the names of the parties, the date completed, the court reporter's name, and the disk number if more than one disk is required for a complete transcript. The Court's copy of the electronic transcript shall become the official record of the Court proceeding, in lieu of a paper copy of the transcript, and shall be retained in

the Court where said proceeding was held. The court reporter's copy shall be retained by the court reporter. The original paper transcript along with the disk designated as the original transcript shall be forwarded to the Clerk if the transcript was prepared for purposes of appeal. If the transcript was not prepared for purposes of appeal, the original paper transcript shall be delivered to the requesting party.

**SECTION FIVE. Effective Date:**

1. This Local Rule, if approved, shall be effective as of the date this rule is approved by the Indiana Supreme Court.

ADOPTED at Corydon, Harrison County, Indiana this 25<sup>th</sup> day of November, 2003.

  
\_\_\_\_\_  
ROGER D. DAVIS, JUDGE  
HARRISON SUPERIOR COURT

  
\_\_\_\_\_  
H. LLOYD WHITIS, JUDGE  
HARRISON CIRCUIT COURT

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FILED

JAN 29 2004

CLERK OF THE  
INDIANA SUPREME COURT  
OF APPEALS  
AND TAX COURT

**ORDER APPROVING AMENDED LOCAL RULE  
ADOPTED PURSUANT TO ADMINISTRATIVE RULE 15**

DONE at Indianapolis, Indiana, this 29<sup>th</sup> day of January, 2004.

Randall T. Shepard  
Randall T. Shepard  
Chief Justice of Indiana

STATE OF INDIANA

IN THE HARRISON SUPERIOR COURT

COUNTY OF HARRISON

CAUSE NO.: 31D01-0403-GO-11

**GENERAL ORDER AMENDING LOCAL CRIMINAL RULE 3**

The Judges of the Harrison Superior Court and Harrison Circuit Court now find it necessary and appropriate to amend Local Criminal Rule 3 because Senior Judge Henry Leist has requested his name be removed from the list of judges under the Court's Local Criminal Rule 3.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** by the judges of the Harrison Superior and Harrison Circuit Court that Local Criminal Rule 3 be and the same is hereby amended to read as follows:

This Local criminal rule has the purpose to comply with and to augment Indiana Criminal Rules Number 12 and 13, and is not to supersede same.

In criminal, infraction and ordinance violation cases where a change of venue from judge motion has been granted and in instances where a judge recuses or is disqualified, the Court shall use the following panel of judges who have agreed to serve in rotation:

JUDGE - K. LYNN LOPP, CRAWFORD CIRCUIT COURT  
JUDGE - HARRIS LLOYD WHITIS, HARRISON CIRCUIT COURT  
JUDGE - GLENN HANCOCK, FLOYD COUNTY COURT  
SENIOR JUDGE - CURTIS B. ESKEW

Judges previously assigned to the cause shall be ineligible for reassignment to that case.

In each instance where a defendant's change of venue from the judge motion has been granted in criminal, infraction and ordinance violation case(s), or where a judge has disqualified or recused himself from criminal, infraction and ordinance violation case(s) the same judge shall be selected as the special judge under this rule for all criminal, infraction, and ordinance violation cases pending against the defendant in that court for which the regular judge is disqualified. In addition, in any instance where a special judge has already been appointed for a defendant in a criminal, infraction and ordinance violation case(s), the same judge shall be selected as special judge if any new criminal, infraction, and ordinance violation case(s) are filed against the defendant and the regular judge grants a change of venue from the judge or disqualifies or recuses himself from any criminal, infraction, and ordinance violation case(s).

The Clerk of the Harrison Superior and Harrison Circuit Court is hereby directed to enter this order in the record of judgments and orders in such courts and make this order available to the Local Bar. This order is effective upon approval by the Indiana Supreme Court.

SO ORDERED this 23 day of March, 2004.

  
HON. ROGER D. DAVIS, JUDGE  
HARRISON SUPERIOR COURT

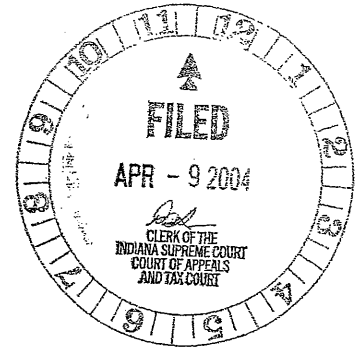
DATE: March 12, 2004

  
HON. H. LLOYD WHITIS, JUDGE  
HARRISON CIRCUIT COURT

DATE: March 23, 2004



IN THE  
SUPREME COURT OF INDIANA



IN THE MATTER OF )

APPROVAL OF LOCAL RULE )

AMENDMENTS FOR )

HARRISON COUNTY )

) Case No. 31500-0404-MS-155

**ORDER APPROVING AMENDMENT TO  
HARRISON COUNTY LOCAL RULE 3**

The judge of the Harrison Superior Court, which has jurisdiction over all criminal, infraction and ordinance violation cases by local rule, requests the approval of an amendment to the Harrison County Local Rule 3, which establishes a panel of judges from which special judges are to be selected in criminal cases. This amendment to Harrison County Local Rule 3 is proposed pursuant to requirements of Indiana Criminal Rule 2.2, and removes Senior Judge Henry Leist from the panel of available judges and makes other modifications to reflect new office holders.

Upon examination of the proposed local rule amendment, this Court finds that the rule amendment complies with the requirements of Criminal Rule 2.2, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that the Amendment to Harrison County Local Rule 3, set forth as an attachment to this Order, is now approved, effective March 23, 2004.

The Clerk of this Court is directed to forward a copy of this Order to the Honorable Roger D. Davis, Harrison Superior Court, to the Honorable Harris Lloyd Whitis, Harrison

Circuit Court and to the Clerk of the Harrison Circuit and Superior Courts.

The Clerk of the Harrison Circuit and Superior Courts is directed to place a copy of this Order in the Record of Judgments and Orders for all courts of record in the county and to post this Order for public examination.

DONE at Indianapolis, Indiana, this 9<sup>th</sup> day of April, 2004.

Randall E. Sheperd

Brent E. Dickson  
Acting Chief Justice of Indiana

STATE OF INDIANA ) IN THE HARRISON CIRCUIT & SUPERIOR COURTS  
COUNTY OF HARRISON ) SS:  
ANNUAL TERM 1999

CAUSE NO.: 31D01-9902-GO-

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**GENERAL ORDER ADOPTING LOCAL RULE**

Comes now the Judges of the Harrison Circuit and Harrison Superior Courts and being duly advised now find it appropriate to adopt a Local Rule regarding the filing of certain cases in Harrison Circuit Court and Harrison Superior Court. The Judges hereby find that in order to promote the orderly administration of justice that cases in certain categories should be filed in the Harrison Circuit Court and other cases should be filed in the Harrison Superior Court.

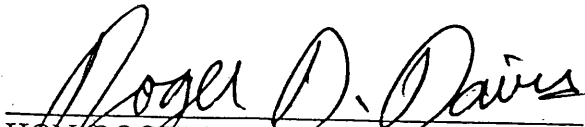
**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** by the judges of the Harrison Circuit and Superior Courts that a Local Rule be and the same is hereby adopted and shall read as follows:

All criminal (felony, misdemeanor, revocation, post-conviction relief and miscellaneous) infraction, ordinance violation, small claims, and civil plenary and civil tort cases where the total amount of damages or property involved does not exceed the small claims jurisdictional amount, shall be filed in the Harrison Superior Court. All juvenile (CHINS, delinquent, status, paternity and miscellaneous juvenile cases), termination of parental rights, domestic relations, civil miscellaneous, reciprocal support, protective orders, mental health, adoptions, estates, guardianships, trusts, and civil plenary and civil tort cases involving property or damages in an amount in excess of the small claims jurisdictional limit shall be filed in the Harrison Circuit Court.

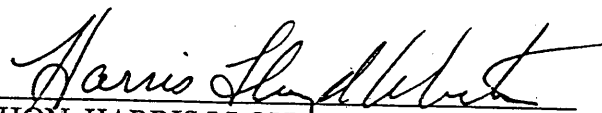
**IT IS FURTHER ORDERED** that the Judge of either the Harrison Circuit Court or the Harrison Superior Court may allow the filing of any case in such court on a case by case basis unless another local rule, rule of the Indiana Supreme Court or a statute prohibits the filing of such case in the court.

The Clerk of the Harrison Circuit and Superior Courts is hereby directed to enter this order in the record of judgments and orders in such courts and make this order available to the Local Bar.

SO ORDERED this 11<sup>th</sup> day of February, 1999.

  
HON. ROGER D. DAVIS, JUDGE  
HARRISON SUPERIOR COURT

DATE: Feb. 11, 1999

  
HON. HARRIS LLOYD WHITIS, JUDGE  
HARRISON CIRCUIT COURT

DATE: February 11, 1999

***Administrative District #14***  
***Rule No. 1***  
***Plan for Allocation of Judicial Resources***

We, the undersigned judges of Administrative District 14, hereby adopt Local Rule 1 entitled District Plan for Allocation of Judicial Resources.

***A. Evaluation of Need***

1. Not later than October 1 of each year, all regular judges of the courts of record in Administrative District 14 shall meet, in person, telephonically, or by other means, and shall evaluate each court's caseload data, as reported to the Division of State Court Administration.
2. Based upon the foregoing caseload evaluation, the District Assignment Judge shall develop and maintain a roster reflecting the weighted caseloads of each county and the judicial officer need or surplus in each county based upon the annual state range.
3. The District Assignment Judge shall maintain the following rosters:
  - a. A roster of counties with judicial resources above the designated state range and how much time they can contribute to others;
  - b. A roster of counties with judicial resources below the designated state range and how much additional judicial time they need to come within the range;
  - c. A roster of courts with judicial resources falling within the established district range.

***B. Reallocation of Resources and Method of Assignment***

1. At the annual meeting, the District Assignment Judge shall present to the District Judges the foregoing caseload evaluation and rosters. At said meeting, the District Judges by majority vote of those attending the meeting shall adopt an annual plan that shall provide as follows:
  - a. The Plan shall commence on January 1<sup>st</sup> of the following year and terminate on December 31<sup>st</sup> of that same year.
  - b. The Plan should seek to:
    1. Allocate judicial resources from counties where available judicial resources are below the designated state range.

case may be transferred under this provision outside the county where it originated. (Assessment of statutory change of venue fees will be shared by the parties as agreed, or failing agreement, as ordered by the assigned judge.)

3. Absent transfer of the case, the assigned judge is encouraged to employ procedure, such as the use of facsimile transmissions and telephone conferences to reduce the need for travel. The transfer judge may entertain motions and perform all administrative tasks (and conferences with counsel) in his or her own county. Hearings involving in-person testimony by witnesses shall be conducted in the county where the case is pending, unless the parties and the judge agree otherwise on the record.
4. If the transfer judge presides in a court lacking subject matter jurisdiction of an assigned case, so that such case cannot be docketed in the receiving court, the assigned judge shall assume jurisdiction the case in the court of origin as a transfer judge and shall so indicate on the chronological summary of the case.
5. All decisions, orders, and rulings shall be recorded promptly on the Chronological Case Summary, and when appropriate, the Record of Judgments and Orders of the court where the case is pending and shall be served in accordance with Trial Rule 72(D) by the clerk of said court. Absent transfer of cases pursuant to above, it is the duty of the assigned judge to effect the prompt execution of these provisions. Special Judges shall send a Chronological Case Summary (CCS) entry to the court of record when hearings are held in some location other than the court of record where the case is pending.
6. A court is deemed to have ruled at the time the ruling or decision is entered into a public record or it is received in the office of the clerk of the court where the case is pending.
7. It is the duty of the judge of the court where the case is pending to assure the availability of facilities and staff for the transfer judge.
8. A transfer judge shall indicate his or her status as a transfer judge on all actions such as CCS entries, orders, and judgments, taken by the judge.

SO ORDERED this 20 day of September, 2000



Daniel F. Donahue  
Judge, Clark Circuit Court



H. Lloyd Whitis  
Judge, Harrison Circuit Court

## *APPENDIX*

The Judges of record in the 14<sup>th</sup> Judicial District having met pursuant to Administrative District 14, Rule No. 1 and having determined the following to be the county caseload average per judicial officer:

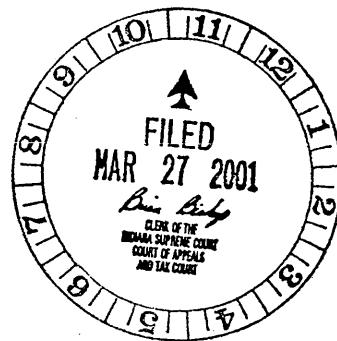
<u>County</u>	<u>Actual Number of Full-time Judicial Officers</u>	<u>Total Judicial Officers Needed</u>	<u>Average Caseload</u>	<u>Excess or (above or Shortage below district Range)</u>
Clark	5	7.00	1.40	---
Crawford	1	1.11	1.11	---
Floyd	4	5.89	1.47	---
Harrison	2	2.68	1.34	---
Orange	2	1.86	.93	-.11
Scott	2	2.44	1.22	---
Washington	2	2.19	1.10	---
<b>TOTAL</b>	<b>18</b>	<b>23.17</b>		

That the state range is from .96 to 1.46 (state average is 1.21). That the district average is 1.29 and the district range (calculated as .25 above and below district average) is from 1.04 to 1.54.

Adopt as a plan for the calendar year 2001, the following:

1. No judge shall receive an assignment to any court that is in excess of 40 miles in one direction except senior judges.
2. That the Judge of Crawford Circuit Court be assigned as transfer judge to the courts of Floyd County for a period of at least one day per month.
3. That the Judges of Orange Circuit and Superior Court be assigned as transfer judges to the courts in Clark County for a period, jointly and severally, of at least two days per month.
4. Any Senior Judge for any Court in the 14<sup>th</sup> Judicial District willing to accept Special Judge assignments shall notify the Administrative Assignment Judge of his or her willingness to accept Special Judge assignments. Senior Judges willing to accept Special Judge assignments shall be eligible to accept Special Judge assignments in each Court where the particular Senior Judge has been appointed by the Indiana Supreme court. No further appointment by the trial court shall be necessary for a Senior Judge to accept an appointment by the Administrative Assignment Judge. This plan shall be considered to be the appointment by the particular trial court to the extent it may be necessary. Senior Judges shall be assigned on a rotation basis with the same number of special judge cases as regular judges.

IN THE  
SUPREME COURT OF INDIANA



IN THE MATTER OF  
DEVELOPMENT OF  
DISTRICT PLANS

)  
)  
) Case No. 94S00-9911-MS-639  
)  
)

**ORDER APPROVING AMENDED DISTRICT CASELOAD PLAN**

On July 16, 1999, this Court entered an Order for the *Development of Local Caseload Plans* calling for the submission of such plans by September 10, 1999. On October 29, 1999, this Court approved the district reallocation plan, *District 14 Plan for Allocation of Judicial Resources*, submitted by the judges of Administrative District 14, encompassing Clark, Crawford, Floyd, Harrison, Orange, Scott, and Washington counties.

The Judges of the courts comprising District 14 now submit for this Court's review and approval amendments to the *Appendix* to the *District 14 Plan for Allocation of Judicial Resources*. The amendments provide for the use of senior judges to take assignments of cases needing special judges within the district, and allow the judges of Floyd and Clark Counties to serve as special judges in cases in other counties in the district. Upon careful consideration of the tendered rule, we find that it should be approved.

IT IS, THEREFORE, ORDERED that *District 14 Plan for Allocation of Judicial Resources*, with the amendments contained in its *Appendix*, is hereby approved, effective January 1, 2001.

The Clerk of this Court is directed to forward notice of this Order to the Circuit Court Clerks of Clark, Crawford, Floyd, Harrison, Orange, Scott, and Washington counties. The Clerk



STATE OF INDIANA )  
 ) ss:  
COUNTY OF HARRISON )

IN THE HARRISON SUPERIOR COURT  
CAUSE NO. 31D01-0001-GO- 02

**LOCAL RULES REGARDING SPEEDY TRIAL MOTIONS,  
PRAECIPES AND MOTIONS TO CORRECT ERRORS**

Comes now the Court on its own motion and now adopts a local rule for filing of **Motions for Speedy Trial** in any and **all criminal cases** in the Harrison Superior Court. The Court finds that there have been several instances where Motions for Speedy Trial have allegedly been filed but have not been placed in the original file in the Clerk's Office, and have not been brought to the attention of the Judge. The court finds that it is extremely important that a defendant be able to have a speedy trial and the defendant's right to a speedy trial is impaired if the Court is unaware of a speedy trial motion, or if the motion is not in the Clerk's possession. A copy of each and every Motion for Speedy Trial under Criminal Rule 4 shall be personally **delivered** to the **Judge or Court Reporter** of the Harrison Superior Court **by the defendant's attorney** or the defendant on the same date that said motion is filed with the Court.

A copy of every Praecipe or Motion to Correct Errors filed with the Clerk of this Court should be brought to the attention of the Judge and Court Reporter. The Court now orders the **Clerk** of the Court to **serve a copy** of all **Praecipes and Motions to Correct Errors** upon the **Judge** of the Harrison Superior Court **and the Court Reporter**.

So ORDERED this 20 day of January, 2000.

  
HON. ROGER D. DAVIS, JUDGE  
HARRISON SUPERIOR COURT

**GENERAL ORDER**  
**FOR PLEA AGREEMENT DEADLINE**  
**AND CONTINUANCE OF JURY TRIALS**

The Court finds it is necessary to adopt a **deadline** for parties in criminal cases to enter into and **file Plea Agreements** in ANY case with a **jury trial scheduled**. The Court further finds that parties have appeared on the date of trial unprepared to go to trial. The Court further finds that in many instances counsel have not attempted to seriously negotiate until the day of trial. The Court finds attorneys have failed to timely request continuances of jury trials even though they knew weeks or months in advance that a continuance would be needed or requested. The Court finds attorneys have failed to comply with discovery orders on numerous occasions.

**IT IS THEREFORE ORDERED** that the State and the defendant shall **file a written and signed Plea Agreement** with respect to ANY criminal case no later than **twenty-one (21) days prior to the trial date**.

**IT IS FURTHER ORDERED** that the **defendant, the defendant's attorney, and the Prosecuting Attorney assigned to try the case shall appear in Court** and the State shall **inform the defendant in open court of the State's final offer, if any, in any criminal case** approximately three (3) weeks prior to the date of the scheduled jury trial.

**IT IS FURTHER ORDERED** that if the State and the defendant fail to file a written and signed plea Agreement no later than **twenty-one (21) days prior to the date the trial is** scheduled to begin, the **Court will not accept any Plea Agreement** unless the parties demonstrate good cause for failure to file a written and signed Plea Agreement in a timely fashion.

**IT IS FURTHER ORDERED** that **any request to continue any jury trial** shall be **filed** no later than **twenty-one (21) days prior to the date the trial is scheduled to begin** unless

good cause is shown for failure to request a continuance of a jury trial sooner.

**IT IS FURTHER ORDERED** that failure to comply with discovery orders may constitute adequate grounds for either continuance of jury trials (with delay attributable to the party failing to comply with discovery orders) or appropriate sanctions against the party failing to comply with discovery orders.

**IT IS FURTHER ORDERED** that the Clerk of this Court shall distribute copies of this order to all attorneys and make this order available to all attorneys appearing in criminal cases in this Court.

**IT IS FINALLY ORDERED** that this order shall be effective December 1, 2000, with respect to all criminal jury trials.

STATE OF INDIANA

HARRISON SUPERIOR COURT

COUNTY OF HARRISON

31D01- 0509-GO-25

**BOND SCHEDULE AND RULES**

<u>OFFENSE</u>	<u>BOND</u>	
	<u>Indiana Residents</u>	<u>Non-Residents</u>
<b>Public Intoxication</b>	Own Recognizance	\$500 cash, or surety; 20% cash deposit
<b>Class "C" Misdemeanors <u>except</u> Operating While Intoxicated and purchasing more than 3 grams of Pseudoephedrine and/or Ephedrine within one week</b>	\$500 cash, or surety; 20% cash deposit	\$500 cash, or surety; 40% cash deposit
<b>Class "B" Misdemeanors <u>except</u> Public Intoxication</b>	\$750 cash, or surety; 20% cash deposit	\$750 cash, or surety; 40% cash deposit
<b>Class "A" Misdemeanors, <u>except</u> Operating While Intoxicated, Marijuana and Title 9</b>	\$1,000 cash, or surety; 20% cash deposit	\$1,000 cash, or surety; 40% cash deposit
<b>Class "D" Felonies, <u>except</u> Title 9, controlled substance, Marijuana, Methamphetamine, Chemical Reagents or Precursors, Dumping Controlled Substance Waste, Possession of Anhydrous Ammonia With Intent to Manufacture, Possession of More Than 10 Grams of Pseudoephedrine, Ephedrine, and/or Phenylpropanolomine</b>	\$4,000 cash, or surety; 20% cash deposit	\$4,000 cash, or surety; 40% cash deposit

<b>Class "C" Felonies</b> <u>except</u> those involving the operation of a motor vehicle, controlled substances, Meth, Possession of Two or More Chemical Reagents or Precursors, Possession of More Than 10 Grams of Pseudoephedrine, Ephedrine, and/or Phenylpropanolamine, Possession of Anhydrous Ammonia With Intent to Manufacture	\$10,000 cash or surety	\$20,000 cash or surety
<b>Class "B" Felonies</b> <u>except</u> those involving the operation of a motor vehicle, controlled substances, and Methamphetamine	\$20,000 cash or surety	\$40,000 cash or surety
Class "A" Felonies, <u>except</u> Attempted Murder, controlled substances, and Methamphetamine	\$50,000 cash or surety	\$100,000 cash or surety
<b>Operating While  Intoxicated, Class "A" and  Class "C" Misdemeanors,  Marijuana as a  Class "A" Misdemeanor,  and all Title 9 Class "A"  Misdemeanors</b>	<b>\$500 full cash only</b> (No property, surety or 20% cash deposit)	<b>\$500 full cash only</b> (No property, surety or % cash deposit)
<b>Title 9, Operating  While Intoxicated,  and Marijuana Class  "D" Felonies</b>	<b>\$800 full cash only</b> (No property, surety or 20% cash deposit)	<b>\$800 full cash only</b> (No property, surety or % cash deposit)
<b>Class "C" Felonies  involving the operation of  a motor vehicle</b>	<b>\$5,000 full cash only</b>	<b>\$5,000 full cash only</b>
<b>Class "B" Felonies  involving the operation of  a motor vehicle</b>	<b>\$10,000 full cash only</b>	<b>\$10,000 full cash only</b>

<b>Marijuana Class "C" Felonies</b>	<b>\$5,000 full cash only</b> (No property, surety or 20% cash deposit)	<b>\$10,000 full cash only</b> (No property, surety or % cash deposit)
<b>Controlled Substance Class "D" Felonies</b> <u>except</u> Methamphetamine and Methamphetamine related offenses	<b>\$2,500 full cash only</b> (No property, surety or 20% cash deposit)	<b>\$2,500 full cash only</b> (No property, surety or % cash deposit)
<b>Controlled Substance Class "C" Felonies</b> <u>except</u> Methamphetamine and Methamphetamine related offenses	<b>\$5,000 full cash only</b> (No property, surety or 20% cash deposit)	<b>\$5,000 full cash only</b> (No property, surety or % cash deposit)
<b>Controlled Substance Class "B" Felonies</b> <u>except</u> Methamphetamine	<b>\$10,000 full cash only</b> (No property, surety or 20% cash deposit)	<b>\$10,000 full cash only</b> (No property, surety 0% cash deposit)
<b>Controlled Substance Class "A" Felonies</b> <u>except</u> Methamphetamine	<b>\$25,000 full cash only</b> (No property, surety or 20% cash deposit)	<b>\$25,000 full cash only</b> (No property, surety or % cash deposit)
<b>Class "C" Misdemeanor Purchasing More Than 3 grams of Pseudoephedrine and/or Ephedrine within one week</b>	<b>\$500.00 full cash only</b> (No property, surety or % cash deposit)	<b>\$500.00 full cash only</b> (No property, surety or % cash deposit)
<b>Class "D" Felonies, Methamphetamine, Possession of Two or More Chemical Reagents or Precursors With Intent to Manufacture, Dumping Controlled Substance Waste, Possession of More Than 10 Grams of Pseudoephedrine, Ephedrine and/or Phenylpropanolomine, Possession of Anhydrous Ammonia With Intent to Manufacture</b>	<b>\$5,000 full cash only</b> (No property, surety or 20% cash deposit)	<b>\$5,000 full cash only</b> (No property, surety or % cash deposit)
<b>Class "C" Felonies, Methamphetamine, Possession of Two or More Chemical Reagents or Precursors With Intent to Manufacture, Possession of More</b>	<b>\$10,000 full cash only</b> (No property, surety or 20% cash deposit)	<b>\$10,000 full cash only</b> (No property, surety or % cash deposit)

**Than 10 Grams** of Pseudoephedrine,  
Ephedrine and/or  
Phenylpropanolomine, Possession of  
**Anhydrous Ammonia** With Intent to  
Manufacture

**Class "B" Felony  
Methamphetamine**

**\$20,000 full cash only**  
(No property, surety  
or 20% cash deposit)

**\$20,000 full cash only**  
(No property, surety  
or % cash deposit)

**Class "A" Felony  
Methamphetamine**

**\$50,000 full cash only**  
(No property, surety  
or 20% cash deposit)

**\$50,000 full cash only**  
(No property, surety  
or % cash deposit)

**Illegal Aliens**

**No Bond for three (3) working days** unless INS notifies  
jail sooner of No Hold

**Murder, Attempted Murder,  
True Identity of Person Unknown,  
and Fugitives from another state**

**No Bond until set by Court after hearing**

**Property bonds may only be posted if authorized by the Court.**

Any person arrested for a **new criminal charge** who has **been arrested** for a **criminal charge within one (1) year of the date of the new arrest** shall be **required** to post a **bond** in amount equal to **twice (double)** the **amount** that would **otherwise** be **required** to be posted.

Any person arrested for a **new criminal charge** who is **on parole** or **on probation** for a **felony offense** shall be **held without bond for fifteen (15) days** or until brought before the Court. At the expiration of the fifteen (15) day **hold** the bond shall be **twice (double)** the **amount** that would **otherwise** be **required** if the defendant was not on parole or probation for a felony offense.

As a condition of bond, all persons, defendants and/or bondmakers posting cash bonds are to be notified that bond will be receipted in the name of the Defendant and may be subject to payment to the Clerk of the Court for fines, Court costs, probation user fees, pre-trial diversion fees, alcohol-drug program fees, alcohol and drug countermeasure fees, drug interdiction fees, restitution, public defender fees or any other assessment pursuant to I.C. 35-33, before any balance will be released to the Defendant or bondmaker. The Sheriff is directed to notify each person posting bond of this Order of the Court. Bondmaker shall pay a **\$5.00 fee on each bond** for the special death benefit fund as required by law.

Due to the Sheriff's inability to bond all persons that handle cash bonds, the Sheriff of Harrison County, in his discretion, may require all "full cash" bonds to be posted using certified check or money order.

Any person arrested for **Battery, Criminal Recklessness, Sex Crimes (I.C. 35-42-4), Kidnapping, Criminal Confinement, Robbery, Car Jacking, Arson, Residential Burglary, Residential Entry, Stalking, Criminal Gang Intimidation, Harassment, Intimidation, Invasion of Privacy**, and when an individual is charged with **attempt, conspiracy, or aiding and abetting** in any of the above listed types of offenses, **shall not be permitted to post any bond for 24 hours** or until the person is brought before the Court, whichever comes first.

**Illegal Aliens** shall be **held without bond** until further order of the Court or the expiration of **three (3) working days** (Holidays and weekends do not count) **after arrest** or until notice by INS of No Hold, which ever comes first. Unless the Court orders otherwise, the defendant's bond shall be in accordance with this **bond schedule** **after** the expiration of **three (3) working days** from the time of **arrest** or notification from INS that there will be **no hold**. The purpose of this order concerning illegal aliens is to allow the Homeland Security/ Immigration and Naturalization Service (INS) adequate time to investigate and determine whether the INS wishes to detain the defendant for prosecution and/or deportation.

If the true identify of a person is unknown s(he) shall be held until further order of the Court.

All persons arrested for **Driving While Intoxicated, Driving with a B.A.C. of .08 or greater, Minor Consuming or Public Intoxication** shall not be released from custody until a sufficient number of hours have elapsed to permit the alcohol to disperse from the body. The following is the **MINIMUM** number of hours of custody:

<u>B.A.C.</u>	<u>HOURS</u>	<u>B.A.C.</u>	<u>HOURS</u>	<u>B.A.C.</u>	<u>HOURS</u>
.075	5	.150	10	.225	15
.090	6	.165	11	.240	16
.105	7	.180	12	.255	17
.120	8	.195	13	.270	18
.135	9	.210	14	.285	19
				.300	20
				REFUSAL	24

All persons arrested for **Public Intoxication or Minor Consuming** WILL be held in custody until a sufficient number of hours have elapsed to permit alcohol to disperse from the body according to a **B.A.C. test (not P.B.T.)** If the defendant **fails, refuses, or declines a B.A.C.** then (s)he shall be **held for Twenty-four (24) hours**.

All persons over 18 years of age charged with **Minor Consuming** may be held in custody for a **MINIMUM OF TWENTY-FOUR (24) HOURS** unless they voluntarily submit to a B.A.C. test. If they submit to a B.A.C. test they may bond out after the burn off time set forth herein. The police, Sheriff, and Corrections personnel are not required to provide a B.A.C. test.

All persons arrested on any charge(s) who are **under the influence of and are impaired by marijuana or any illegal drug** shall be held in custody for **Twenty-four (24) hours**.



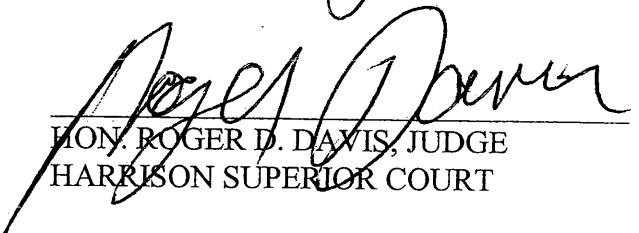
The Jailer or Bondmaker is DIRECTED to obtain an address and telephone number of the Defendant on the bond.

There shall be no initial bond on persons arrested for being fugitive from another state unless the Court sets a bond in such instances.

**NO** individual, who is arrested, may be released on his or her **OWN RECOGNIZANCE** without the authority of the Judge of the Circuit or Superior Court except as set forth herein. **Bonds or any Bench Warrants may NOT be changed** except by the Judge of the Circuit or Superior Court. Any of the above provisions can be altered (increased or decreased) by the Judge of the Circuit or Superior Court.

All persons making bond shall complete and sign Terms and Conditions of Bond and shall be subject to the terms and conditions of bond as set forth in Exhibit "A" attached hereto. The defendant shall be given a return date no longer than forty-five (45) days after being released from jail unless the Court has set a different date.

All the above matters **SO ORDERED**, this 27 day of Sept, 2005.

  
HON. ROGER D. DAVIS, JUDGE  
HARRISON SUPERIOR COURT

cc: Prosecuting Attorney  
Harrison County Sheriff  
Judge, Harrison Circuit Court  
Clerk of Courts

STATE OF INDIANA )  
 )  
COUNTY OF HARRISON )

IN THE HARRISON SUPERIOR COURT

CASE NO.: 31D01-\_\_\_\_\_

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

ALIASES: \_\_\_\_\_  
PHONE NO.: \_\_\_\_\_  
INITIAL HEARING: \_\_\_\_\_

GENERAL ORDER ADOPTING  
TERMS AND CONDITIONS OF BOND  
IN ALL CRIMINAL CASES

The following terms and conditions of bond apply to all criminal cases until further order of the Court:

- ☒ 1. Defendant shall appear at every hearing, trial date, presentence interview, and any other time as ordered by the Court.  
☒ 2. Defendant shall not violate any state or federal law and not commit any crime..  
☒ 3. Defendant shall notify the Court and Probation Office of any change of address within 72 hours.  
☒ 4. Defendant shall submit to any drug or alcohol test requested by the Court, Law Enforcement or Probation Office.

The following No Contact condition of bond Protective Order shall apply in all cases involving **Murder, Attempted Murder, Battery, Criminal Recklessness, Sex Crimes (I.C.35-42-4), Kidnaping, Criminal Confinement, Robbery, Car Jacking, Arson, Residential Burglary, Residential Entry, Stalking, Intimidation, Harassment, Criminal Gang Intimidation, Invasion of Privacy**, and shall apply when an individual is charged with attempted, conspiracy, or aiding or abetting in any of the above listed types of offenses. The Court finds that all defendants in the above categories of cases represent a credible threat to the physical safety of the victim(s).

- ☐ 5. This is a Protective Order. The defendant shall have **NO CONTACT** with the Victim(s) in this matter, in person, by telephone or letter, through a third party, or in any other way, directly or indirectly and shall refrain from abusing, stalking, harassing, threatening, or disturbing the peace of the Victim (s). Defendant shall not use, attempt, or threaten the use of physical force against the Victim(s) that would reasonably be expected to cause bodily injury. The Court finds the defendant represents a credible threat to the physical safety of the victim. Violation of this Order is a crime, invasion of privacy, under I.C. 35-46-1-15.1 (a)(6). You may request this order be canceled or modified at your first Court hearing. Any person subject to a Protective Order may be prohibited from possessing any firearm or ammunition under federal law. This Order is issued pursuant to I.C. 35-33-8-3.1.

Victim(s) Information

Name: \_\_\_\_\_  
D.O.B.: \_\_\_\_\_  
Sex: \_\_\_\_\_  
Race: \_\_\_\_\_

Name: \_\_\_\_\_  
D.O.B.: \_\_\_\_\_  
Sex: \_\_\_\_\_  
Race: \_\_\_\_\_

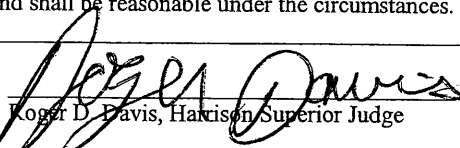
☐ \* Intimate partner of defendant.

☐ Defendant had actual notice and an opportunity to participate in a hearing regarding this protective order.

ADDITIONAL TERMS AND CONDITIONS OF BOND  
(To Apply Only By Order Of The Court)

- ☐ 6. Defendant shall attend and complete an Alcohol/Drug Program as directed by a Probation Officer (inpatient and/or halfway house, if appropriate).  
☐ 7. Defendant shall not use, consume or possess any alcoholic beverages or illegal drugs.  
☐ 8. Defendant shall submit to and comply with all rules of home incarceration.  
☐ 9. Defendant shall not use or possess any firearm.  
☐ 10. Defendant shall not drive any vehicle.  
☐ 11. NO CONTACT OF ANY KIND WITH \_\_\_\_\_  
☐ 12. Defendant shall report to probation as often as requested and submit to and pay for any drug testing.  
☐ 13. Defendant shall reside with \_\_\_\_\_  
☐ 14. Defendant shall consent to search of defendant's person, vehicle, home and all property. Any search or seizure procedures shall be conducted by the Probation Officer and/or his/her authorized agent and shall be reasonable under the circumstances.  
☐ 15. Other: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

  
Roger D. Davis, Harrison Superior Judge

I understand that upon violation of any of these conditions or failure to comply with a valid request to submit to a drug or alcohol test, my bond may be revoked and I may be incarcerated.

I understand the above terms and conditions of bond.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant's signature

\_\_\_\_\_  
Booking Officer's Signature

\*Intimate partner is defined as a spouse, former spouse, a person who shares a child in common with the defendant, or an individual who cohabitates or has cohabitated with the defendant.

# SUMMARY OF BOND SCHEDULE

	<b>Indiana Residents</b> O.R.	<b>Non-Residents</b> \$500 C/S/20%
Public Intoxication		
C Misdemeanors	\$500 C/S/20%	\$500 C/S/40%
B Misdemeanors	\$750 C/S/20%	\$750 C/S/40%
A Misdemeanors	\$1000 C/S/20%	\$1000 C/S/40%
D Felonies	\$4000 C/S/20%	\$4000 C/S/40%
C Felonies	\$10,000 C/S	\$20,000 C/S
B Felonies	\$20,000 C/S	\$40,000 C/S
A Felonies	\$50,000 C/S	\$100,000 C/S
O.W.I., Marijuana, & Title 9 A Misdemeanors	\$500 FCO	\$500 FCO
O.W.I, Marijuana & Title 9 D Felonies	\$800 FCO	\$800 FCO
C Felonies involving operation of motor vehicle	\$5,000 FCO	\$5,000 FCO
B Felonies involving operation of motor vehicle	\$10,000 FCO	\$10,000 FCO
Marijuana C Felony	\$5,000 FCO	\$10,000 FCO
Controlled Substance D Felonies	\$2,500 FCO	\$2,500 FCO
Controlled Substance C Felonies	\$5,000 FCO	\$5,000 FCO
Controlled Substance B Felonies	\$10,000 FCO	\$10,000 FCO
Controlled Substance A Felonies	\$25,000 FCO	\$25,000 FCO
Purchasing More Than 3 grams C Misdemeanor	\$500 FCO	\$500 FCO
Meth & Meth Related D Felonies	\$5,000 FCO	\$5,000 FCO
Meth & Meth Related C Felonies	\$10,000 FCO	\$10,000 FCO
Meth B Felony	\$20,000 FCO	\$20,000 FCO
Meth A Felony	\$50,000 FCO	\$50,000 FCO
Illegal Aliens	NO BOND for 3 working days unless notified sooner of no hold.	
Murder, Attempted Murder, Unknown Person & Fugitives	NO BOND	

No property bonds. Double the regular bond if arrested within 1 year or if on felony probation.

Defendants on all alcohol offenses may be released after burn off if they submit to a B.A.C.  
If no B.A.C. or if under the influence of illegal drugs, then a 24 hour hold shall apply.

15 day hold if on Felony Probation.

STATE OF INDIANA            )  
                                      ) ss:  
COUNTY OF HARRISON    )        ANNUAL TERM .....2003

IN THE MATTER OF UPDATING        CAUSE NO. 31D01-0306-GO-11  
LIST OF MOTOR CLUBS

**ORDER UPDATING LIST OF MOTOR CLUBS**  
**GUARANTEEING SECURITY FOR MINOR TRAFFIC OFFENSES**

The Secretary of State, State of Indiana, having forwarded list of Motor Clubs which have filed appropriate plans with the Secretary of State's Office, guaranteeing their membership cards as security for the appearance in Court of members who commit minor traffic offenses:

**AAA Chicago Motor Club**, Attn.: John Chamberlain, Office of the General Counsel, The Auto Club Group, 1 Auto Club Drive, Dearborn, MI 48126; Arrest Bond: \$1,000.

**AAA Hoosier Motor Club**, Attn.: Janet Jackson, P. O. Box 88505, Indianapolis, IN 46208-0505; Arrest Bond: \$1,000; Bail Bond: \$5,000.

**Allstate Motor Club**, Attn.: Bonnie Sue Dohring, 1500 W. Shure Drive, Arlington Heights, IL 60004; Arrest Bond: \$500 limit.

**Ford Auto Club**, Attn.: Elvira Zavala, P. O. Box 224688, Dallas, TX 75222-4688; No limits indicated.

**Mobil Auto Club**, Attn.: Carrie Groat, GE Financial Assurance, 200 North Martingale Road, Schaumburg, IL 60173-2096; Arrest Bond: \$1,000; Bail Bond: \$10,000.

**Montgomery Ward Auto Club**, Attn.: Carrie Groat, GE Financial Assurance, 200 North Martingale Road, Schaumburg, IL 60173-2096; Arrest Bond: \$1,000.

**Motor Club of America Enterprises**, Attn.: David Kircher, 3200 W. Wilshire Boulevard, Oklahoma City, OH 73116; No limit indicated.

**National Motor Club of America**, Attn.: Paula Shacklett, 6500 North Beltline Road, Suite 200, Irving, TX 75063; No limit indicated.

**Ocamo Industries**, Attn.: Carrie Groat, GE Financial Assurance, 200 North Martingale Road, Schaumburg, IL 60173-2096; No limits indicated.

**Safe Driver Motor Club**, Attn.: Laurie L. Little, Geico Direct, One Geico Plaza, Washington, D.C. 20076-0001; No limit indicated.

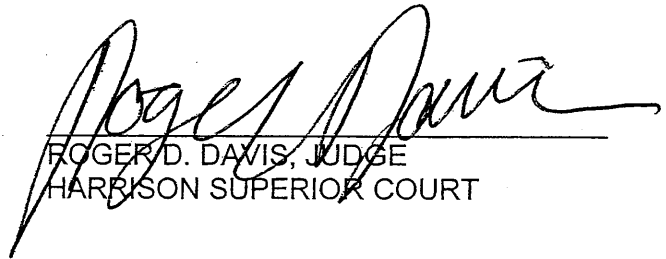
**Signature's Nationwide Auto Club**, Attn.: Carrie Groat, GE Financial Assurance, 200 North Martingale Road, Schaumburg, IL 60173-2096; No limits indicated.

**Smart Choice Auto Club**, Attn.: Paul Kainrath, P. O. Box 607, Newburgh, IN 47629-0607; No limit indicated.

**United States Auto Club**, Attn.: Elvira Zavala, P. O. Box 660460, Dallas, TX 75266-0460.

And the Court, being duly advised in the premises, now ORDERS and DIRECTS the Sheriff of Harrison County to disregard any previous order relating to the said Motor Club Guaranty and post the current list.

So ORDERED this 10th day of June, 2003.

  
\_\_\_\_\_  
ROGER D. DAVIS, JUDGE  
HARRISON SUPERIOR COURT

cc: Harrison County Sheriff

STATE OF INDIANA  
IN THE HARRISON SUPERIOR COURT  
CAUSE NO. 31D01-0509-GO-020

**ALCOHOL DRUG PROGRAM FEE SCHEDULE**

The Court having reviewed the costs of the Court's Alcohol and Drug Program, and the Court being duly advised, now finds the Court should adjust the fee schedule for Alcohol and Drug Program Services. The Court further finds that the Superior Court's previous schedule of fees should be revised.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the following schedule of fees be and the same are hereby adopted as follows:

1. All Driving While Intoxicated (Pretrial Diversion, First Offense, subsequent Offense, or charged offense amended to another offense) \$ 400.00
2. Marijuana, Meth or Controlled Substance (Pretrial Diversion, First or subsequent Offense) \$ 400.00
3. Other alcohol and/or drug related Offenses \$ 300.00
4. Transfer fee \$ 100.00
5. Alcohol/Drug Assessment Fee \$ 100.00
6. The Court on a case-by-case basis may increase the fees in any particular case to \$400.00.
7. The Court may on a case-by-case basis waive fees or decrease fees if justified under the circumstances of the particular case.

SO ORDERED this 12 day of September, 2005.

  
\_\_\_\_\_  
HON. ROGER D. DAVIS, JUDGE  
HARRISON SUPERIOR COURT

**IN THE SUPERIOR COURT OF HARRISON COUNTY  
STATE OF INDIANA**

**NUNC PRO TUNC ENTRY OF DECEMBER 3, 2002**

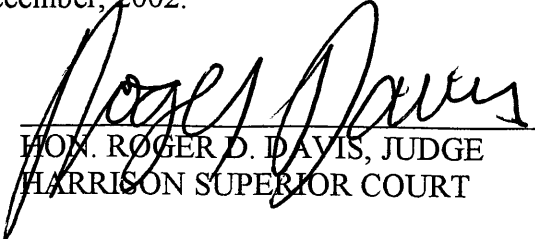
**LOCAL JURY RULES OF  
HARRISON SUPERIOR COURT**

**CAUSE NO. 31D01-0212-GO-27**

The Indiana Supreme Court adopted jury rules that take effect January 1, 2003 and require local rules to implement. The Harrison Superior Court does now adopt the following Local Jury Rules for the Harrison Superior Court.

1. The Clerk of the Circuit Court, Carole Gaither, is hereby appointed Jury Administrator for the Harrison Superior Court.
2. Pursuant to Indiana Jury Rule 4 the Harrison Superior Court selects by Local Rule the two tier notice and summons procedure.
3. The Jury Administrator for the Harrison Superior Court shall compile the jury pool annually by selecting names from all of the voter registration lists for Harrison County, supplemented with names from the Indiana Bureau of Motor Vehicles list of licensed drivers residing in Harrison County, Indiana. The Jury Administrator shall compile the jury pool more often than annually, if necessary, and the jury pool shall be compiled by random draw of names from the voter registration and drivers license list.
4. The jury pool compiled may be used for either petit or grand jury.
5. The Jury Administrator shall mail a jury qualification form and notice of the period during which any service may be performed after names are drawn from the jury pool as required by the judge of the Harrison Superior Court.
6. As needed the Harrison Superior Court shall inform the Jury Administrator periodically to summon prospective jurors for trials and said summons shall be forwarded by regular mail to the prospective jurors together with a jury information sheet to be furnished by the Harrison Superior Court.
7. The Harrison Superior Court shall furnish to the Jury Administrator the form of the summons, jury qualification form, notification form and juror information form.
8. This Local Rule shall be effective beginning January 1, 2003 and until further order of the Court.

**SO ORDERED** this 18 day of December, 2002.

  
\_\_\_\_\_  
HON. ROGER D. DAVIS, JUDGE  
HARRISON SUPERIOR COURT